



Application No. 10/812,068
Response dated October 26, 2006
Reply to Office Action of July 26, 2006

REMARKS

I. INTRODUCTORY REMARKS

Claims 1-12 are pending in the application. The indication by the Examiner of allowable subject matter in claims 1-12 is gratefully acknowledged. By this Amendment, claims 2 and 6 are amended to correct minor typographical errors. In view of the foregoing Amendments and following remarks, it is respectfully submitted that all of the claims are allowable and that the application is in condition for allowance. Prompt reconsideration and an early notice to that effect are respectfully requested.

II. CLAIM OBJECTIONS

On page 2 of the Office Action dated July 26, 2006, claims 2 and 6 are objected to because of some minor informalities. Specifically, in the first line of each claim, “claim 1” should read --claim 1--. By this Amendment, the aforementioned change has been made to each of claims 2 and 6. Accordingly, the objection is believed to be overcome.

III. DOUBLE PATENTING

On page 2 of the Office Action, “[c]laims 1-12 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-12 of copending Application No. 10/697,569.” According to Private PAIR, the status of the ‘569 Application is listed as “Application Undergoing Preexam Processing.” The status date is November 4, 2003. The last correspondence of record from the Patent Office in the ‘569 Application was the Notice of Incomplete Reply (Nonprovisional), mailed May 11, 2004. The Applicant subsequently filed a request for refund on May 24, 2004, but did not substantively respond to the outstanding Notice to File Missing Parts dated January 30, 2004. Instead, Applicant filed the instant Continuation Application on March 30, 2004. It is believed that because no response was filed to the outstanding Notice to File Missing Parts in the ‘569 Application, such application should have gone abandoned without further response by the Applicant. Nevertheless, in order to overcome the provisional double patenting rejection set forth in the Office Action, the Applicant is concurrently filing an Express Abandonment in the ‘569 Application. In view of the foregoing, the Applicant respectfully requests that the provisional double

patenting rejection be withdrawn. The Application is believed to be in condition for allowance and a notice to that effect is respectfully solicited.

IV. CONCLUSION

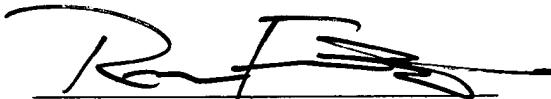
All of the stated grounds of rejection and objection are believed to have been properly traversed, overcome, or rendered moot. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Date: 10/26/06



Robert Kinberg
Registration No. 26,924
Ryan M. Flandro
Registration No. 58,094
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300
Attorneys/Agents for Applicant

RK/RMF
DC2DOCS1/784067v1